

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address GOLDEN GOODRICH LLP Jeffrey I. Golden, State Bar No. 133040 jgolden@go2.law Ryan W. Beall, State Bar No. 313774 rbeall@go2.law 3070 Bristol Street, Suite 640 Costa Mesa, California 92626 Telephone 714-966-1000 Facsimile 714-966-1002 <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Chapter 7 Trustee Weneta M.A. Kosmala	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION	
In re: TIDALWAVE FINANCE CORPORATION, Debtor(s).	CASE NO.: 8:23-bk-10794-SC CHAPTER: 7 AMENDED NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: 07/30/2024	Time: 11:00 am
Location: United States Bankruptcy Court, Courtroom 5C - Via ZoomGov	

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** 07/16/2024

Description of property to be sold: All the Estate's right, title and interest in the Debtor's remaining assets, including any claims owned by the Debtor under the United States Bankruptcy Code, including, but not limited to, avoidable transfer actions and preference actions under Section 544 and/or any claims against principals of the Debtor arising from actions prior to the Closing Date. See attached notice of hearing.

Terms and conditions of sale: Subject to overbid. Sale is "as is, where is," with no warranties or guaranties of any kind. Offer must be non-contingent and "all cash" to the estate. Subject to Bankruptcy Court approval. Other terms and conditions apply; see motion on file with the Clerk of Court.

Proposed sale price: \$ 1,000.00

Overbid procedure (if any): Minimum bid: \$1,000.00. Overbid increments: \$100.00. See attached notice of hearing.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Sale Date: July 30, 2024 at 11:00 a.m.

Location

United States Bankruptcy Court

Central District of California, Santa Ana Division

411 W. Fourth Street, Courtroom 5C, Santa Ana, CA 92701

Video and audio connection information for the hearing will be provided on Judge Clarkson's publicly posted hearing calendar, which may be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=SC>.

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Ryan W. Beall, Esq.

Golden Goodrich LLP

3070 Bristol Street, Suite 640

Costa Mesa, CA 92626

714-966-1000; 714-966-1002

rbeall@go2.law

Date: 07/02/2024

GOLDEN GOODRICH LLP
Jeffrey I. Golden, State Bar No. 133040
jgolden@go2.law
Ryan W. Beall, State Bar No. 313774
rbeall@go2.law
3070 Bristol Street, Suite 640
Costa Mesa, California 92626
Telephone 714-966-1000
Facsimile 714-966-1002

Counsel for Chapter 7 Trustee
Weneta M.A. Kosmala

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

In re
TIDALWAVE FINANCE CORPORATION,

Debtor.

Case No. 8:23-bk-10794-SC

Chapter 7

**NOTICE OF HEARING ON CHAPTER 7
TRUSTEE'S MOTION FOR ORDER
AUTHORIZING SALE OF CLAIMS
PURSUANT TO 11 U.S.C. §§ 363(b) AND
(f) OR, IN THE ALTERNATIVE,
AUTHORIZING ABANDONMENT OF
CLAIMS PURSUANT TO 11 U.S.C. § 554**

Remote Hearing:

DATE: July 30, 2024
TIME: 11:00 a.m.
CTRM: Courtroom 5C/Via ZoomGov
411 West Fourth Street
Santa Ana, CA 92701

**TO THE DEBTOR, CREDITORS, OFFICE OF THE UNITED STATES TRUSTEE AND
ALL PARTIES IN INTEREST:**

PLEASE TAKE NOTICE that on **July 30, 2024, at 11:00 a.m.** in the United States Bankruptcy Court for the Central District of California, Santa Ana Division, located at 411 W. Fourth Street, Santa Ana, California, in Courtroom 5C, the Court will hold a hearing on the *Motion for Order Authorizing Sale of Claims Pursuant to 11 U.S.C. §§ 363(b) and (f) or, in the Alternative, Authorizing Abandonment of Claims Pursuant to 11 U.S.C. § 554* ("Motion")¹ filed by Weneta M.A. Kosmala, the chapter 7 trustee ("Trustee") for the bankruptcy estate ("Estate") of Tidalwave Finance Corporation ("Debtor"), which seeks an order:

¹ All capitalized terms have the same meaning or definition as the capitalized terms in the Motion.

1 1. authorizing the Trustee to hold an auction to sell the remaining assets of the
2 Estate, which is all remaining assets of the Debtor's Estate after the sale of the Debtor's
3 assets, including, but not limited to, avoidable transfer actions and preference actions
4 under Section 544 and/or any claims against principals of the Debtor arising from actions
5 prior to the Closing Date² (together, "Claims"), and to sell the Claims to a bidder in the
6 event such bid is at least \$1,000.00 and is not subsequently overbid;

7 2. authorizing the sale of the Claims as-is, where-is, without representation or
8 warranty, free and clear of any and all liens and interest pursuant to 11 U.S.C. §§ 363(b)
9 and (f);

10 3. authorizing the Trustee to take any and all necessary actions to
11 consummate the sale of the Claims;

12 4. waiving any requirements for lodging periods imposed by Local Bankruptcy
13 Rule 9021-1 and any other applicable bankruptcy rules;

14 5. waiving the stay imposed by Federal Rule of Bankruptcy Procedure 6004(h)
15 and any other applicable bankruptcy rules; or

16 6. In the alternative, authorizing the Trustee to abandon the Claims pursuant to
17 11 U.S.C. § 554(a).

18 The Trustee does not believe there will be any tax consequences from the sale. If
19 there is any resulting tax liability, it will be paid from the sale proceeds.

20 **PLEASE TAKE FURTHER NOTICE** that the Trustee seeks to sell the Claims free
21 and clear of any and all liens, claims, and interests. The Trustee is unaware of any liens
22 or other interests adverse to the Estate's interest in the Claims.

23 **PLEASE TAKE FURTHER NOTICE** that prospective buyers may contact counsel
24 for the Trustee in advance of the hearing to enquire about opening bids or making an
25 opening bid. For purposes of an opening bid on the Claims, the Trustee will honor first
26 come first serve bids prior to the auction. In the event the Trustee receives an offer either
27 prior to the auction or at the auction, the Trustee proposes to allow for overbids prior to
28 the Court's approval of the sale of the Claims in minimum \$100 increments.

The Motion is based upon the Memorandum of Points and Authorities, the
Declaration of Weneta M.A. Kosmala, all pleadings, papers and records on file with the
Court, and on such other evidence, oral or documentary, as may be presented to the
Court at the time of the hearing on the Motion.

**PLEASE TAKE FURTHER NOTICE that the hearing will be conducted
remotely using ZoomGov. Video and audio connection information for the hearing
will be provided on Judge Clarkson's publicly posted hearing calendar, which may
be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=SC>.**

Your Rights May Be Affected. You should read these papers carefully and
discuss them with your attorney, if you have one. (If you do not have an attorney, you
may wish to consult one.)

² Defined in the Trustee's motion [dkt. 38].

Deadline for Opposition Papers. The Motion is being heard on regular notice pursuant to LBR 9013-1. If you wish to oppose the Motion, you must file a written response with the Court and serve a copy of it upon the Movant or Movant's attorney at the address set forth above no less than **14 days** prior to the above hearing date. If you fail to file a written response to the Motion within such time period, the Court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.

Hearing Date Obtained Pursuant to Judge's Self-Calendaring Procedure. The undersigned hereby verifies that the above hearing date and time were available for this type of Motion according to the judge's self-calendaring procedures.

PLEASE TAKE FURTHER NOTICE that any party requesting a copy of the Motion or any supporting documents filed with the Court with respect to the Motion may contact counsel for the Trustee, Ryan W. Beall, Golden Goodrich LLP by email at rbeall@go2.law, by mail at 3070 Bristol Street, Suite 640, Costa Mesa, California 92626, or by telephone at (714) 966-1000.

Dated: July 2, 2024

GOLDEN GOODRICH LLP

By: /s/ Ryan W. Beall
RYAN W. BEALL
Counsel for Chapter 7 Trustee
Weneta M.A. Kosmala

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

3070 Bristol Street, Suite 640, Costa Mesa, California 92626

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF HEARING ON CHAPTER 7 TRUSTEE'S MOTION FOR ORDER AUTHORIZING SALE OF CLAIMS PURSUANT TO 11 U.S.C. §§ 363(b) AND (f) OR, IN THE ALTERNATIVE, AUTHORIZING ABANDONMENT OF CLAIMS PURSUANT TO 11 U.S.C. § 554** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **July 2, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **July 2, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 2, 2024
Date

David M. Fitzgerald
Printed Name

David M. Fitzgerald
Signature

NOTICE TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Ryan W Beall rbeall@go2.law, kadele@go2.law;dfitzgerald@go2.law;rbeall@ecf.courtdrive.com;cmeecker@go2.law
Jeffrey I Golden jgolden@go2.law,
kadele@ecf.courtdrive.com;cbmeeker@gmail.com;lbracken@wglp.com;dfitzgerald@go2.law;golden.jeffreyi.b117954@n
otify.bestcase.com
Richard H Golubow rgolubow@wghlawyers.com, jmartinez@wghlawyers.com;svillegas@wghlawyers.com
Weneta M.A. Kosmala (TR) ecf.alert+Kosmala@titlexi.com,
wkosmala@txitrustee.com;dmf@txitrustee.com;sdk@txitrustee.com
Christopher J Langley chris@slclawoffice.com,
langleycr75251@notify.bestcase.com;ecf123@casedriver.com;john@slclawoffice.com
United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov

SERVED BY UNITED STATES MAIL:

Tidalwave Finance Corporation
Attn: Elvia Garcia
1560 Brookhollow Dr, Suite 201
Santa Ana, CA 92705
DEBTOR

Honorable Scott C. Clarkson
United States Bankruptcy Court
Central District of California, Santa Ana Division
411 W Fourth St., Suite 5130/Ctrm 5C
Santa Ana, CA 92701-4593

Amanda Grey
565 Clayton St.
Denver, CO 80206-4232

Barbara Merill
PO Box 3857
Palm Desert, CA 92261-3857

Barbara Merrill
519 Falcon View Circle
Palm Desert, CA 92211

Daphne Masin
D Masin Consulting LLC
710 S. Myrtle Ave, #516
Monrovia, CA 91016

Elizabeth Beresford
PO Box 27874
Santa Ana, CA 92799-7874

Employment Development Department
Bankruptcy Group MIC 92E
PO Box 826880
Sacramento, CA 94280

Estate of T.F. Beresford
PO Box 80578
Rancho Santa Margarita, CA 92688-0578

Franchise Tax Board
Bankruptcy Section, MS: A-340
PO Box 2952
Sacramento, CA 95812

Hahn Fife & Company, LLP
1055 E Colorado Blvd 5th Fl
Pasadena, CA 91106

H. Vincent McNally (Vincent H. McNally in Petition)
12424 Wilshire Blvd, Suite 900
Los Angeles, CA 90025

Hilda E. Hoffman Trust
333 Old Mill Rd #199
Santa Barbara, CA 93110-3537

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

Jeff Beresford
33601 Windlass Dr.
Dana Point, CA 92629-4472

John Cymerint
24681 Venablo Dr.
Mission Viejo, CA 92691-5018

Julie Mullen
13672 Goldenwest St. Ste. H
Westminster, CA 92683-7917

Julie Mullen
6606 E. Bay Shore Walk
Long Beach, CA 90803-4531

Nancy Clarke & Mary J.T. Trust
43 Vesta St.
San Francisco, CA 94124-2544

Nancy Clarke & Mary Jane Thomas Trust
c/o Andrew Benton, Trustee
43 Vesta St.
San Francisco, CA 94124

Ocean Insurance Co. Ltd.
PO Box 27874
Santa Ana, CA 92799-7874

Renroc Insurance Co. LTR
9160 Deering Ave.
Chatsworth, CA 91311-5801

State Board of Equalization
PO Box 942879
Sacramento, CA 94279

Susan Bernstein
1645 Clark Ave, #118
Long Beach, CA 90815

Theodore R. Beresford
PO Box 27874
Santa Ana, CA 92799-7874

Vincent H. McNally
12424 Wilshire Blvd. Ste. 900
Los Angeles, CA 90025-1071

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3070 Bristol Street, Suite 640, Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled: **AMENDED NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 07/02/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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Honorable Scott C. Clarkson
Central District of California, Santa Ana Division
411 W. Fourth St., Suite 5130/Ctrm 5C
Santa Ana, CA 92701-4593

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☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

07/02/2024
Date

David M. Fitzgerald
Printed Name

David M. Fitzgerald
Signature

NOTICE TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Ryan W Beall rbeall@go2.law, kadele@go2.law;dfitzgerald@go2.law;rbeall@ecf.courtdrive.com;cmeecker@go2.law
Jeffrey I Golden jgolden@go2.law,
kadele@ecf.courtdrive.com;cbmeecker@gmail.com;lbracken@wglp.com;dfitzgerald@go2.law;golden.jeffreyi.b117954@n
otify.bestcase.com
Richard H Golubow rgolubow@wghlawyers.com, jmartinez@wghlawyers.com;svillegas@wghlawyers.com
Weneta M.A. Kosmala (TR) ecf.alert+Kosmala@titledexi.com,
wkosmala@txitrustee.com;dmf@txitrustee.com;sdk@txitrustee.com
Christopher J Langley chris@slclawoffice.com,
langleycr75251@notify.bestcase.com;ecf123@casedriver.com;john@slclawoffice.com
United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov